

## **CITY OF FITCHBURG CONSERVATION COMMISSION**

### **MEETING MINUTES TUESDAY, MARCH 29, 2016**

**COMMISSIONERS IN ATTENDANCE:** John Koutonen, Dennis DeGara, Mike Donnelly, Harry Karis, Tracy Sarefield, Tom Starr, David Streb, John Cordio (assoc. member)

**STAFF IN ATTENDANCE:** Tim Smith, Mike O'Hara

**CALL TO ORDER:** Meeting called to order at 6:02 p.m. in the Community Room, lower level, Fitchburg Fire Headquarters, 33 North St.

#### **PUBLIC HEARINGS**

Notice of Intent - Edgewater Homes, Inc., 0 Rindge Rd. (near McKay School)

(Cont'd from Feb. 16<sup>th</sup>)

Applicant's engineer reports via email that the wetland on the opposite side of Rindge Rd. (at cow culvert) has been flagged, Szoc Surveyors will locate in the field and submit a plan for the Commission & Tim's review. He requested a continuance to April.

Motion made & seconded to continue to April 26<sup>th</sup>. Vote in favor.

Notice of Intent - Harrison, 0 Albee St. (adjacent to #186 Albee) - single-family dwelling in buffer zone  
(continued from Feb. 16)

Brian Marchetti, McCarty Engineering present. ConCom site visit Feb. 27 recapped. Plan has not changed. Project involves disturbing 420 sq. ft. in the 20-foot "No Disturb" zone per local wetlands regulations, which will need a Waiver from the Commission. Wetland flagging was done by Chuck Caron.

Slope with be rip-rap. Upgradient area will be stabilized w/ loam & seed.

Q: Amount of fill to be placed on lot? Undetermined at this time.

Tim: They did submit soil testing logs to him & he's satisfied w/ them.

Brian: It's a challenging grading scheme. Fill will need to be compacted in lifts, per whatever the Building Dept. requires. Lot next door at 186 Albee had been originally approved years ago when owned by Scola, and renewed in 2013.

Q: Who will monitor during construction? Brian: The applicant, who is the builder, will be.

Tim: Commission could require that a geotechnical engineer certify that the compaction of the site is done properly.

Q: Could project comply with the 20-foot "no disturb" requirement?

Yes, but would need to build retaining wall, or place house closer to street.

Dennis: It appears this is not an example of trying to fit a house on a lot, but trying to make a lot be able to fit a house.

Tim: Drainage at bottom of slope comes from a pipe, it may be an intermittent stream.

Mike D: Question is, does the application meet the threshold to justify granting a waiver from the "no disturb" requirement?

Tom suggested passing this on to DEP.

Public comment: Mr. LeClair, 98 Newton St. across street: Stream is runoff from Belmont & Canton St. The dumping that occurred on property in past was mostly organic (yard waste).

Motion made (Dennis) & seconded (Tom) to Deny the pOOC based on the concerns raised:

- Concern w/ proper compaction of soils on steep slope & the possibility of erosion.
- Effect on resource area at bottom of slope.
- Criteria for waiver of 20-foot "No Disturb" requirement not met.

Vote 6-1 in favor of Denial.

Request for Determination of Applicability - Keolis Commuter Services, commuter rail ROW - Vegetation management

Kyle Fair of Fair Dermody, Consulting Engineers described their program of spraying herbicides adjacent to commuter rail tracks between Lunenburg town line and MART station downtown. Maps were shown of the ROW showing the sensitive areas where crossing Nashua R.

Timetable? In June-July. Spraying will be done w/in a day. The consultant will ride along w/ the pesticide applicant. They use less powerful, wetland-appropriate chemicals both in sensitive and in non-sensitive areas. But they losing the battle - invasives are becoming more tolerant, there are other products that could be used but they need to be approved by Mass. Dept. of Agric. Resources, takes a couple years.

Mike D. suggested that in the future, invite the Sprayer/Applicator to the ConCom meeting. Kyle said he would.

Motion made & seconded to issue Negative Determination. Vote unanimous in favor.

Request for Determination of Applicability - Pan Am Railways ROW, vegetation management

No one present, so item deferred.

Notice of Intent - Munksjö Paper, remediation of contaminated site, Depot St. near Nashua River

Greg Morand, Omni Environmental presented proposal for continued remediation of site where two Above-ground storage tanks leaked #6 oil in the late '90s. Tanks have since been removed. Paper mill closed several years ago.

Extensive testing shows residual contamination extending 25-27 feet deep. Est. 4,000 tons of soil to be removed. There will be some excavation in Depot Street layout, but not under the roadway. Dewatering area will have dewatering sumps and a frack tank. Water will go thru a filtering vessel and then to public sewer. They are in process now of getting permit from Wastewater for discharge to sewer. They will be no discharge of water to the river.

Tim's review letter cited improper erosion controls on the riverbank.

Greg: They do weekly inspections of the booms & erosion controls, damage may have occurred just after last inspection. Straw wattles on slope had been installed yesterday (showed photo).

Q: Stockpiled material? They plan to live load off the site as much as possible, to minimize the amt. of stockpiling. But if necessary they will stockpile on paved area at mill across street, with straw wattle & booms at perimeter of stockpile.

The goal is to have permanent solution to cleanup & close out site w/ DEP. Est. cost \$2-3 mil.

Timetable? Would like to start site work by May, excavation in late June, lowest cells are to be removed in July/August during low water.

After completion of the remediation, DEP will have a two-year monitoring program.

Motion made (Dennis) & seconded (Harry) to issue OOC. Vote unanimous in favor.

Notice of Intent - Gionet, 579 South St - mixed use development in buffer zone

Chris Anderson, Hannigan Engineering & Mark Gionet present. Tim has not reviewed yet.

No abutters present.

Commission agreed to have site visit Sat. April 9<sup>th</sup> @ 8:00 a.m.

Hearing continued to April 26<sup>th</sup>.

Notice of Intent - Fitchburg Galaxy, LLC, 133 Water St. (former Pelletier's Bldg. Supply), redevelopment in Floodplain & Riverfront

Pat Doherty, engineer for project presented plan. All existing buildings will be demolished. Site is entirely in floodplain & Riverfront area but he can show how proposed development meets the performance standards. Site is 98% impervious now, they will decrease the impervious area. Proposed is a 6,900 sq. ft. building and a 9,200 sq. ft. commercial bldg. No tenants for the first bldg. at this time; the 2<sup>nd</sup> one will be a Family Dollar, relocated from across the street. That one will be built first.

Site will be re-graded in order to meet compensatory storage requirement. Finished floor of new building will be above the flood elevation.

Due to contamination on site, no recharge of stormwater proposed. Will have deep sump catchbasins & two stormceptor water quality units as part of the stormwater mgmt. system. There are several existing discharge pipes to the Nashua R. These will continue to be used these, no new discharge points.

Concrete floodwall surrounds the entire site. There are some openings in the wall to let water drain to the river. They will prepare a stormwater pollution prevention plan (SWPPP). Erosion controls will be straw wattles & silt sacks in CBs.

Q: Snow storage? Will be at perimeter of site and on the extra parking spaces (more pkg. is provided than min. req'd per zoning.)

There will be an Activity & Use Limitation on the entire site. All site work and excavation will be under supervision of a Licensed Site Professional.

Landscaping: Green area is proposed to the rear of the site, and a landscaped strip in front w/ street trees adjacent to sidewalk. They need to do more investigation of soils, but if necessary they will excavate and remove 3 feet down & install a geotextile barrier and truck in clean soil for the front planting area. The geotextile serves as a barrier from anything excavating deeper into the contaminated area.

Public comment: Paul Bouvier, Midtown Beef had no comments at this time.

Timetable? Galaxy is planning to demo upon expiration of appeal periods & start construction after that.

Commission agreed to have site visit Sat. April 9<sup>th</sup> @ 9:00 a.m.

Motion made & seconded to continue hearing to April 26. Vote in favor.

**OTHER BUSINESS:**

Violation - Crawford St. - Repo vehicle storage

Sebastian Cazard (North East Roads) property owner & his cousin Greco Alonso present.

Commission had noted that repo cars are being stored on a portion of the Crawford St. site that had been approved in 2014 for a construction yard for Sebastian's North East Roads construction company.

An interior fence has split the site into two areas. Sebastian: Fence will be removed.

Since that time, site was determined to not be suitable for building the structure he wanted. In the meantime Sebastian has purchased the former co-op on Kimball Place & he plans to move his business there. He has an application for this pending before the ZBA.

Sebastian will be selling the site to Greco for overflow parking of repo vehicles from the site across street at 134 Crawford St.

Sebastian will have the plantings & riverfront restoration installed this year per the approved plan

Agreed:           Finish approved Restoration Plan  
                  File w/ Commission for the storage of repo vehicles  
                  Wait for outcome of Special Permit application w/ ZBA

Extension Permit #155-558, Gary Labell, Depot St.

Gary Labell in to request an extension of OOC for proposed nine duplexes on the north side of Fairmount St. at Depot St. Parcel has been on the market for several years.

Planning Board Special Permit has been extended to June 2017.

Motion made & seconded to grant three-year extension to (date) 2017. Vote in favor.

Proposed Rollstone Hill trail & Burma Road trail

David gave an update on these two items.

Commission informed that OOC for Lots 11-14 on Arn-How Farm Rd. has expired. Four lots are on the market, but approved plan required that addition area be obtained from the abutter (Sumner) and added to the rear of the lots. That is not feasible now since in the meantime Mass. Fish & Game has acquired several parcels in the area, including the parcel to the rear.

Mike D. suggestion the Commission send a letter to the realtor listing the property informing them of this.

Motion made & seconded to adjourn. Vote unanimous.

Meeting adjourned: 8:20 p.m.

Next meeting: 4/26/2016

Minutes approved: 4/26/2016